IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3018 OF 2005

In

APPEAL NO.870 OF 2005

In

SUIT NO.1849 OF 1989

Nazmabegum widow of Abdul Sanand Shaikh
& Ors. : Appellants
(Orig. Plaintiffs)

V/s.

Mani Burjorji Pockkhanawala & Anr. : Respondents
(Orig. Defendants)

...

Ms P.S.Shah for the appellants.

Ms V.V.Thorat for the respondents.

...

CORAM : R.M.LODHA & S.A.BOBDE,JJ.

DATE : SEPTEMBER 26, 2006.

P.C.

We heard the counsel for the parties.

2. In our considered view, the interim order that was operating during the pendency of the suit must continue during the pendency of the appeal as well. We order

accordingly.

3. The Court Receiver shall take possession of the subject premises from A.H. Kapadia, Power of Attorney Holder of the defendant no.1, within one month from today and then take appropriate steps in giving the subject property on agency basis as per the usual procedure.

4. Order accordingly.

5. Notice of Motion stands disposed of.

R.M. LODHA, J.

S.A. BOBDE, J.